

REMARKS

Claims 35-42, 44, and 46-49 were pending in the above-identified application and were rejected in the Final Office Action dated September 5, 2007. Applicant appealed the Final Rejection, and the Decision on Appeal dated October 27, 2011 affirmed the Final Rejection. Applicant is now requesting continued examination under 37 CFR § 1.114 and authorizing payment of the required fee in an accompanying document.

This Response amends claims 35 and 41 and adds claims 50-52 as indicated above.

Claims 35-42, 44, and 46-49 stand rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Pat. App. Pub. No. 2002/0059286 (Challener) in view of U.S. Pat. No. 5,796,839 (Ishiguro). Applicant requests reconsideration in view of the above amendments.

Independent claim 35 as now presented is patentable over the combination of Challener and Ishiguro at least for reciting, “the key-handling unit comprising: ... a decrypted-access arrangement ... operable in a mode where the current decryption-root key corresponds to a node of said hierarchy other than the root node and one or more nodes higher up in said hierarchy than the node corresponding to the current decryption-root key are not available.”

Challener fails to disclose or suggest a decrypted-access arrangement operable “where the current decryption-root key corresponds to a node of said hierarchy other than the root node and one or more nodes higher up in said hierarchy than the node corresponding to the current decryption-root key are not available.” Challener describes arrangements where the “current decryption-root key” is the storage root key itself and the entire hierarchy nodes are available through a chain of decryptions beginning with the storage root key.

Ishiguro is directed to encryption and decryption systems and methods that use a sequence of keys that may be generated from a master key by iteratively applying a one-way function. For example, Ishiguro teaches that information may be encrypted with any key from the key sequence and then stored on a DVD that also stores encrypted and unencrypted versions of a “magic number.” For decryption, Ishiguro discloses identifying whether a key from the sequence is the correct “working key” by encrypting the unencrypted magic number from the DVD and comparing the result to the encrypted magic number from the DVD. Ishiguro (like Challener) fails to suggest a decrypted-access arrangement operable “where ...

one or more nodes higher up in said hierarchy than the node corresponding to the current decryption-root key are not available” as recited in claim 35. In particular, Ishiguro teaches a decryption system in which the master key and therefore the entire key sequence is available. See, for example, Fig. 6 of Ishiguro, which shows the master key is available to decoding circuit 14 and Fig. 8 of Ishiguro, which shows a process that identifies the correct key for decryption by working through the sequence of keys beginning with the master key.

Claim 35 is thus patentable over the combination of Challener and Ishiguro because Challener and Ishiguro whether considered separately or in combination fail to suggest a decrypted-access arrangement that restricts decrypted access as recited in claim 35.

Claims 36-42, 44, and 46-49 depend from claim 35 and are patentable over Challener and Ishiguro for at least the same reasons that claim 35 is patentable over Challener and Ishiguro.

For the above reasons, Applicant requests reconsideration and withdrawal of the rejection under 35 U.S.C. § 103.

New claims 50-52 depend from claim 35 and are patentable over the combination of Challener and Ishiguro for at least the same reasons that claim 35 is patentable over the combination of Challener and Ishiguro.

In summary, following the Decision on Appeal dated October 27, 2011, Applicant is requesting continued examination and is amending the claims as indicated herein. For the above reasons, Applicant respectfully requests allowance of the application including claims 35-42, 44, and 46-52.

Respectfully submitted,

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